

# TOWN OF HAMPTON COUNCIL MEETING

## December 8, 2020

A closed session of Council was held immediately preceding the regular Council meeting, commencing at 6:00 pm. A regular meeting of Council was held at the Town Hall, 648 Main Street on December 8, 2020 commencing at 7:00 p.m.

**ATTENDANCE:**

Mayor Ken Chorley	Councillor Todd Beach
Councillor Dwight Bond	Richard Malone, Town CAO
Megan O'Brien Harrison, Town Clerk/Communications Officer	

ATTENDANCE VIA: TELECONFERENCE: Deputy Mayor Rob Doucet

DELEGATIONS: Andrew Dunn, Developer

MEDIA: Justin Samanski-Langille, Kings County Record

GUESTS: Chris Rendell, 24 Vernon Avenue

### 1. CLOSED SESSION

In accordance with Section 68(1) of the *Local Governance Act*, Mayor Chorley called the closed session to order at 6:00 p.m. and adjourned the closed session at 7:00 p.m. A second closed session occurred at the conclusion of regular Council meeting and the second closed session was adjourned at 8:30 pm. It was noted that Katie Cameron, Accounting Assistant and Mel Norton, Solicitor, attended the first Closed Session. As per section 69 of the *Local Governance Act*, a member of council who participates in a meeting closed to the public by video or teleconference shall, at the beginning of the meeting, confirm that he or she is alone. Deputy Mayor Doucet confirmed that he was alone. During that time, a number of issues were discussed and the confidential information from such discussions was classified as follows:

<u>Subsection</u> <u>of 68 (1) Category</u>	<u># of</u> <u>Items</u>
a) Information of which that confidentiality is protected by law	1
b) Personal information as defined by the <i>Right to Information and Protection of Privacy Act</i>	
c) Information that could cause financial loss or gain to a person or the local government or could jeopardize negotiations leading to an agreement or contract	6
d) The proposed or pending acquisition or disposition of land	1
e) Information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory	
f) Information concerning legal opinions or advice provided to the local Government by its solicitor or privileged communications between solicitor and client in a matter of local government business	1
g) Litigation or potential litigation affecting the local government or any corporation referred to in subsection 8(1), the local government's agencies, boards or commissions including a matter before an administrative tribunal	
h) Access to or security of buildings and other structures occupied or used by the local government or access to or security of systems of the local government or access to or security of systems of the local government, including computer or communications systems	
i) Information gathered by police, including the Royal Canadian Mounted Police, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information	
j) Labour and employment matters, including the negotiation of collective agreements	2

**2. OPEN REGULAR SESSION**

As per the New Brunswick State of Emergency Order and direction from the Province of New Brunswick advising that section 69 Local Governance Act allows for electronic meeting and that municipalities do not require a specific by-law to this effect as meets with the spirit of the Act, Mayor Chorley called to order the Regular Council meeting of December 8, 2020 with the Mayor, the Town CAO, Town Clerk, Councillor Beach and Councillor Bond at the Town Hall and Deputy Mayor Doucet teleconferencing from home.

**3. SILENT MOMENT OF REFLECTION**

Mayor Chorley requested that everyone rise for a moment of silent reflection. He expressed his condolences to Councillor Beach on the passing of his father.

**4. APPROVAL OF AGENDA**

**Moved by Councillor Beach and seconded by Councillor Bond that the agenda of the November 10, 2020 Council meeting be approved as presented.**

**MOTION CARRIED**

**5. DISCLOSURE OF CONFLICT OF INTEREST**

Mayor Chorley asked that anyone who has a conflict of interest declare it when they reach that item on the agenda.

**6. DELEGATIONS AND PUBLIC HEARINGS**

**6.1 Andrew Dunn – Amendment to Developer’s Agreement**

Andrew Dunn informed Council that construction is going well on the first phase of his development at the end of Demille Court. He started that 18 of the 24 units are currently rented. It is anticipated that they be completed with move in date of April 2021. He is now asking Council to amend the existing Developer’s Agreement to allow for the construction of two additional apartment building on the site, for a total of 4 buildings (48 units). The access would be from Demille Court and Elmwood Drive.

**Moved by Councillor Beach and seconded by Councillor Bond that Council of the Town of Hampton request recommendations from the Planning Advisory Committee regarding the proposed amendment to the Developer Agreement with 697800 NB Corp. for the expansion of the existing cluster development at 153 DeMille Court, dated August 17, 2020, and having a Service New Brunswick registration document number of 40454127 for the development of two (2) additional twelve (12)-unit apartment buildings.**

**MOTION CARRIED**

**7. ADOPTION OF MINUTES**

**7.1 Minutes of November 10, 2020**

**Moved by Councillor Bond and seconded by Deputy Mayor Doucet that the minutes of the November 10, 2020 Regular Council Meeting be adopted.**

**MOTION CARRIED**

## 8. BUSINESS ARISING FROM MINUTES

There was none.

## 9. CORRESPONDENCE LIST

#	From	Subject Matter	Recommendation
20-091	Sara Barnett and Family	Thank you for memorial donation.	Moved by Councillor Beach and seconded by Councillor Bond that correspondence 20-091 be received and filed. <b>MOTION CARRIED</b>
20-092	Tzomi Burkhart, Sustainability Education Alliance Coordinator	Request for sponsorship of the Great Minds Think Outside teacher training program	Moved by Councillor Beach and seconded by Deputy Mayor Doucet that correspondence 20-093 be referred to Leisure Services Advisory for a recommendation. <b>MOTION CARRIED</b>
20-093	Jill Green, Minister, Transportation and Infrastructure	Municipal Manual appendix	Moved by Councillor Bond and seconded by Councillor Beach that correspondence 20-091 be referred to Staff. <b>MOTION CARRIED</b>
20-094	Evan Bellamy	Request for sponsorship	Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton purchase a Bronze Sponsorship at a cost of one hundred dollars (\$100) for the U18 Vito's team. <b>MOTION CARRIED</b>
20-095	MADD Canada	Advertising Request	Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton purchase a business-card sized advertisement in the MADD Message Yearbook at a cost of \$299. <b>MOTION CARRIED</b>
20-096	Debbie Burke 709 Passekeag Rd, Salt Springs	COMEX concerns	Moved by Councillor Bond and seconded by Councillor Beach that correspondence 20-096 be received and filed. <b>MOTION CARRIED</b>
20-097	Michele Hartford 1644 Main Street, Hampton	COMEX concerns	Moved by Councillor Beach and seconded by Deputy Mayor Doucet that correspondence 20-097 be received and filed. <b>MOTION CARRIED</b>

20-098	Jeffrey Underhill 893 Main St., Hampton	COMEX concerns	<b>Moved by Deputy Mayor Doucet and seconded by Councillor Bond that correspondence 20-098 be received and filed.</b> <b>MOTION CARRIED</b>
20-099	Lynn Goddard 1256 Main Street, Hampton	COMEX concerns	<b>Moved by Deputy Mayor Doucet and seconded by Councillor Beach that correspondence 20-099 be received and filed.</b> <b>MOTION CARRIED</b>
20-100	K. Dorothy Shephard, Minister of Health	Stakeholder input requested	<b>Moved by Councillor Bond and seconded by Deputy Mayor Doucet that correspondence 20-100 be referred to the Health Care Committee.</b> <b>MOTION CARRIED</b>

**10. APPROVAL OF ACCOUNTS**

**Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton approve the General and Utilities Fund Paid Invoices from November 1 to November 30, 2020 for the amount of seven hundred and forty-eight thousand, and twenty-seven dollars and sixty-two cents. (\$748,027.62).**

**MOTION CARRIED**

**11. REPORTS FROM COMMITTEES**

11.1 Economic Development and Tourism

**Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton re-appoint Joshua Adams to the Economic Development and Tourism Committee for a second three-year term ending December 31, 2023.**

**MOTION CARRIED**

**Moved by Councillor Beach and seconded by Councillor Bond that the Town of Hampton accept the year-end report of the Economic Development and Tourism Committee.**

**MOTION CARRIED**

11.2 Health

The Town CAO reviewed the Health Care Committee minutes, including noting their guest speaker, Dan McMullen from the River Road Drop in at St. Paul's Anglican Church.

11.3 Fire-Rescue

Councillor Bond reviewed the Fire-Rescue Report.

11.4 Leisure Services Advisory

Deputy Mayor Doucet requested that the Town send thank you letters be sent to Lindsay Hall, Jinell Johnson and Don Kredl for their time served on the Leisure Services Advisory Committee.

**Moved by Deputy Mayor Doucet and seconded by Councillor Beach that the Town of Hampton reappoint Kim Thompkins and Beverly Campbell for a second three-year term, ending December 31, 2023.**

**MOTION CARRIED**

**Moved by Deputy Mayor Doucet and seconded by Councillor Bond that the Town of Hampton install a memorial plaque on *Red's Bridge* in the Dutch Point Trail system, as recommended by the Leisure Services Advisory Committee.**

**MOTION CARRIED**

**Moved by Deputy Mayor Doucet and seconded by Councillor Bond that the Town of Hampton accept the year-end report of the Leisure Services Advisory Committee.**

**MOTION CARRIED**

11.5 Public Works Advisory Committee

**Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton complete a signage/traffic assessment in Pleasant View Estates once the construction is completed in order to have accurate data, in the meantime any issues of speeding should be addressed by the RCMP.**

**MOTION CARRIED**

**Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton table the request to install a dusk to dawn light at the mailboxes at Spooner Island until staff provides a report on how many other community mailboxes are within the Town limits that would also require lighting and what the cost estimate would be to light these.**

**MOTION CARRIED**

**Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton accept the year-end report of the Public Works Advisory and Utilities Commission Committee.**

**MOTION CARRIED**

11.6 Planning Advisory Committee

**Moved by Councillor Beach and seconded by Councillor Bond that the Town of Hampton accept the year-end report of the Planning Advisory Committee.**

**MOTION CARRIED**

- 11.7 RCMP  
Council reviewed the RCMP report.

**Moved by Deputy Mayor Doucet and seconded by Councillor Bond that the Town of Hampton accept the Economic Development and Tourism, Health Care, Fire-Rescue, Leisure Services Advisory, Public Works and Utilities, Planning Advisory Committee, RCMP and Joint Health and Safety Committee reports as presented.**

**MOTION CARRIED**

## 12. APPROVAL OF REPORTS

- 12.1 Building Permit Report  
Council reviewed the Building Permit Report.
- 12.2 Dog Constable  
Council reviewed the Dog Constable Report.
- 12.3 Financial Reports  
Council reviewed the Financial Report.
- 12.4 Communications Report  
The Communications Officer provided an overview of the Communications Report.

**Moved by Councillor Beach and seconded by Councillor Bond that the Town of Hampton approve the Building Inspector, Dog Constable Report, Financial and Communications Reports as presented.**

**MOTION CARRIED**

## 13. READING OF BY-LAWS

There are none.

## 14. NEW BUSINESS

- 14.1 Holiday Hours – Town Buildings  
**Moved by Councillor Bond and seconded by Councillor Beach Town of Hampton approve Holiday Hours as follows:**  
**Closed at noon December 24, 2020;**  
**Closed December 25, 2020;**  
**Closed December 28, 2020;**  
**Closed at noon December 31, 2020; and**  
**Closed January 1, 2021**

**MOTION CARRIED**

14.2 Dangerous and Unightly

**Moved by Councillor Beach and seconded by Councillor Bond that:**

**Whereas the Town of Hampton issued a Notice to Comply dated May 15, 2020 (the "Notice") concerning 744 Main Street, Hampton, New Brunswick E5N 6E1 (the "Property") under By-Law 193-11, A By-Law Respecting Dangerous or Unightly Premises, a copy of which is included herewith as Appendix "A";**

**And whereas the Notice was sent to the owners of Property by regular and registered mail and delivered by hand on May 20, 2020 and delivered by process server to the owners on June 7, 2020, as confirmed by Appendix "B" hereto;**

**And whereas the owners of the Property acknowledged in writing having received the Notice on June 19, 2020 as confirmed by Appendix "C";**

**And whereas the Town of Hampton obtained an Entry Warrant and inspected the Property on June 15, 2020 as confirmed by Appendix "D";**

**And whereas the condition of the Property was verified by Dillon Consulting in their report of June 24, 2020 and attached hereto as Appendix "E", and which report confirm that the Property is in a condition contrary to ss. 131(1), 131(2) and 131(3) of the Local Governance Act, S.N.B., 2017, c.18 (the "Act")**

**And whereas the owners of the Property have failed to correct the conditions detailed in the Notice to Comply or appeal the Notice to Comply;**

**And whereas the condition of the Property is:**

- 1) contrary to ss. 131(1) of the Act in that the owners of the Property have permitted the Property to become unsightly by permitting a dilapidated building and structures to remain on the Property;**
- 2) contrary to ss. 131(2) of the Act, in that the owners have permitted the building and structures at the Property to become a hazard to the safety of the public by reason of being vacant or unoccupied; and**
- 3) contrary to ss. 131(3) of the Act in that the owners have permitted the building or structures at the Property to become a hazard to the safety of the public by reason of dilapidation or unsoundness of structural strength;**

**Council hereby authorizes the Chief Administrative Officer to:**

- 1) cause the building or other structures at the Property to be repaired or demolished in respect of conditions contrary to section 131(2) of the Act; and**
- 2) to charge the cost of carrying out such work, repair or demolition, including any related charge or fee, to the owners as a debt due to the municipality**

**MOTION CARRIED**

- 14.3 Christmas Bonuses  
**Moved by Deputy Mayor Doucet and seconded by Councillor Bond that the Town of Hampton approve the 2020 Christmas Bonuses as presented.**

**MOTION CARRIED**

- 14.4 Safe Restart  
**Moved by Councillor Bond and seconded by Councillor Beach to submit to the Province of New Brunswick the following information which shows the impact the Town of Hampton has incurred in 2020 as a result of COVID-19:**

<b>Total of Additional COVID-19 Specific costs</b>	<b>\$ 41,836</b>
<b>Total of COVID-19 specific losses</b>	<b>\$139,724</b>
<b>Total of COVID-19 specific operational savings</b>	<b>\$- 42,473</b>
<b>Net COVID-19 impact</b>	<b>\$139,087</b>

**MOTION CARRIED**

- 14.5 Christmas Cards  
**Moved by Councillor Beach and seconded by Deputy Mayor Doucet that the Town of Hampton donate \$500 to the Hampton Food Basket in lieu of Christmas Cards.**

**MOTION CARRIED**

- 14.6 Rescind Motion  
**Moved by Councillor Bond and seconded by Deputy Mayor Doucet that the Town of Hampton rescind the following motion made on January 14, 2020 as the fund transfer was not required in 2020:**

**Reserve Fund Motion**

**Moved by Councillor Bond and seconded by Deputy Mayor Doucet to transfer \$273,000 from the Capital Reserve Fund, account# 601940012610 to the General Operating Fund, account # 601940029815 for 2020 Capital.**

**MOTION CARRIED**

- 14.7 Transfer Motion  
**Moved by Councillor Bond and seconded by Councillor Beach to transfer \$300,000 from the Town of Hampton's Gas Tax account, #339930176710, to the Town of Hampton's General Operating account, #601940029815. Funds used for 2020 Street upgrades.**

**MOTION CARRIED**

- 14.8 Special Meeting  
Moved by Deputy Mayor Doucet and se that the Town of Hampton hold a special meeting on December 22, 2020 at 8:15 am to finalize the Town's financial year-end.

**MOTION CARRIED**

- 14.9 Tender  
Moved by Councillor Bond and seconded by Councillor Beach that the Town of Hampton award Tender #TOH-WORKS-2020-01 Equipment Purchase – One New 20 Tonne Air Tilt Tag Trailer with Air Ramps to the low bidder, Valley Equipment Limited, for a cost of thirty-six thousand, seven hundred and forty-two dollars and fifty cents, taxes included.

**MOTION CARRIED**

- 14.10 Levee  
The Mayor noted that due to COVID-19 pandemic, the Mayor's New Year's Levee will not be taking place this year.

## **15. OUTSTANDING ISSUES**

There were none.

## **16. ADJOURNAMENT**

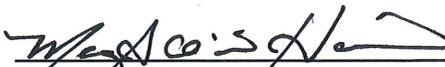
There being no further business, the meeting of Council was adjourned at 8:05 p.m.

Moved by Councillor Beach that the Town of Hampton adjourn the council meeting of December 8, 2020.

**MOTION CARRIED**

## **APPROVED:**

  
\_\_\_\_\_  
Ken Chorley, Mayor

  
\_\_\_\_\_  
Megan O'Brien Harrison, Clerk